



City of Riverside, California
Personnel Policy and Procedure Manual

Approved:

Human Resources Director

City Manager

Number: I-13 Effective Date: 07/02

SUBJECT: PRE-EMPLOYMENT MEDICAL EXAMINATIONS

PURPOSE:

To provide a formal policy which outlines the pre-placement medical examination program for the City of Riverside.

The primary purpose of a medical evaluation program is to identify medical conditions and any related physical limitations of prospective employees in order to assure their placement in work which they can perform safely. In doing this, the City of Riverside hopes to: 1) assure that the essential work of City jobs can be accomplished safely by those being employed to perform it; 2) comply with the letter and intent of laws prohibiting discrimination, and avoid the financial liability for noncompliance; and 3) reduce losses to Workers' Compensation and disability retirement programs as well as to other health benefit programs.

POLICY:

1. Notification of Policy

The job announcement shall stipulate that offers of employment (regular and temporary) are contingent upon the result of the medical evaluation.

2. Job Classes/Candidates

- a. Pre-employment medical examinations shall be administered for all job classes. The Human Resources Director or Principal Human Resources Analyst shall determine which job classes are included in the pre-placement medical examination program and shall recommend an appropriate medical examination through an official job analysis.
- b. If medical examinations are required for a particular job, all qualified candidates offered employment for that job, shall be examined.
- c. All candidates (regular and temporary) for employment shall be administered a pre-employment medical examination following an employment offer, which will be required only after the candidate has met all other job requirements.

3. Policy Guidelines

- a. The City of Riverside utilizes the Occu-Med Medical Evaluation System and uses the services of Occu-Med to conduct the medical screening program for certain "high risk" job classifications.
- b. Occu-Med shall provide recommendations to the City of Riverside for its consideration in making final decisions regarding employment of candidates.

- c. Medical examinations used to make employment decisions shall be specifically related to the essential tasks of the job for which the candidate/employee is being considered.
- d. The examination recommended as part of the Occu-Med Job Profile shall be used by an examining physician, or in the absence of an Occu-Med Job Profile, a City of Riverside job analysis questionnaire may also be used.
- e. When deemed necessary in order to make an employment decision, special investigations of a candidate's medical history and/or the referral to a specialist may be required.
- f. The job application shall not include questions regarding the candidate's medical condition or physical limitation.
- g. Candidates shall not be medically disqualified due to a condition creating a **future** risk of injury. Only conditions which would place a candidate at direct threat of injury to self or others shall be subject to disqualification. The time span of "direct" is typically defined in terms of the training/probation period and/or until such time as the candidate reaches a level of full performance.
- h. The sole medical question shall be whether the candidate/employee can presently perform the essential functions of the job in question **safely**. This shall be considered in light of the Federal criteria of present and probable risk and in light of State guidelines.
- i. All initial pre-employment examinations will be paid for by the City of Riverside. Should a candidate wish to submit additional information in appeal of a disqualification, the candidate shall bear the expense of obtaining such information.

4. Decision Outcomes

a. Medically Qualified

Medically Qualified is defined as those candidates who are found to be in good health, and able to perform the essential functions of the job, with no medical conditions which would contraindicate employment in the job class for which they are being considered.

b. Conditionally Qualified

This occurs if the candidate is qualified to perform the job, but has specific medical restrictions or limitations which must be noted. Restrictions/limitations shall be carefully documented on a separate form, "Notice of Medical Restrictions and/or Conditional Employment," which shall be signed by the candidate.

c. Recommendation for Delayed Qualification

Occasionally, candidates will be found to have a condition or problem which, although disqualifying for the job under consideration, could be readily corrected or repaired. The City of Riverside shall not be obligated to keep the position open for any set length of time while the condition is being resolved; however, the City shall make determinations

regarding such situations on a case-by-case basis and do what is "reasonable." If the candidate cannot (or is unwilling to) correct the problem within a reasonable period of time, then the candidate shall be reclassified as Medically Disqualified.

d. Medically Disqualified

Those candidates who are found to have one or more conditions which contraindicate employment are classified as Medically Disqualified for the particular job in question. Reasonable job accommodation shall always be considered, where appropriate, prior to disqualification.

5. Work Restrictions

- a. Some candidates may have a medical condition which could constitute a health or safety hazard under certain, but not all, employment conditions. To minimize the chances of injury, recommendations of restrictions/limitations are provided by Occu-Med's Evaluating Physician(s). The restrictions apply to the job under consideration and, when feasible, *constitute an accommodation of the individual's disability.*
- b. Work restrictions and limitations shall be periodically evaluated and thoroughly enforced throughout the employee's tenure. Any employee changing positions shall be re-evaluated from a medical standpoint before being placed in the new position, and the new supervisor shall be notified of any work restrictions/limitations.

6. Reasonable Accommodation

- a. In some cases, it may be necessary to consider making a "reasonable accommodation." Legislative intent to *limit discrimination against the disabled is directed toward requiring* employers to hire the disabled if they can perform essential job functions with, as applicable, reasonable accommodation. The law requires that the candidate's medical condition be considered after he/she has met all other job requirements.
- b. A key to reasonable accommodation is that the candidate must be able to perform essential job functions of the position for which he/she is being considered. For a disabled individual, this may mean that the methods used to complete job tasks are different than those used by other workers.
- c. The City of Riverside shall consider information from many sources about practical ways of making accommodations for candidates with disabilities in all cases of recommendation Delay for Qualification.

7. Appeal Process

- a. If a candidate is disqualified from appointment to a position for inability to safely perform the essential function of the job class, he or she may file a written request through the Human Resources Director for a review of his or her disqualification. The request must be submitted within ten (10) working days after the candidate is notified of the disqualification.

- b. The candidate must submit additional information regarding his or her medical condition, including a report by an independent medical examiner (a physician other than the candidate's treating physician or his/her associates), within thirty (30) days from submitting the appeal notification. The information provided must be relevant to the nature and extent of the medical condition(s) which relates to the applicant's disqualification. All medical examinations relating to this appeal are the financial responsibility of the candidate.
- c. Further medical information provided by the candidate shall then be submitted to the Occu-Med Evaluating Physician for review. The Occu-Med Evaluating Physician shall then review the submitted information and determine, in light of this additional information, whether or not the candidate meets the medical requirements of the job class with or without accommodation, and shall make appropriate recommendation to the Human Resources Director. The Human Resources Director shall then consider the recommendation from the Occu-Med Evaluating Physician, consider reasonable accommodation opportunities, and make the final employment decision.

The Human Resources Director shall make any exceptions to the above policy.

PROCEDURE:

| Responsibility | Action |
|-----------------|---|
| Department | <ol style="list-style-type: none"> 1. Selects final candidate and makes offer of employment contingent upon passing the pre-employment medical examination. 2. Completes Personnel Action Form (P-2) and forwards to the Human Resources Department with the candidate's original application form. |
| Human Resources | <ol style="list-style-type: none"> 3. Schedules a pre-employment medical evaluation with the medical provider. 4. Notifies candidate of medical appointment date, time, location, and special requirements (e.g. fasting prior to lab testing). 5. Instructs candidate to bring a picture I.D. to the exam (required for drug testing). 6. Completes questions #1-9 of the Medical History Form and provides the candidate with the form prior to the pre-placement medical exam. 7. Provides candidate with a "Commitment to Complete the Physical Form." |

Medical Provider

8. Maintains a record of all examinations scheduled and related results.
9. Conducts the medical examination and gathers appropriate medical history information utilizing Occu-Med's forms and procedures. Note: The specific examination components will vary depending upon the job class.
10. Forwards all examination documentation, via fax, to Occu-Med not later than one working day after the date of the examination.

Occu-Med Evaluating Physician

11. *Evaluates the examination documentation and the Job Profile and applies the Occu-Med Medical Standards.*
12. *May request that previous treatment records be obtained for a candidate if relevant to the qualification decision and/or referral to a specialist.*
13. Determines final medical qualification recommendation.
14. Provides medical examination results and *recommendation to the Human Resources Department* within one business day of receipt of the examination documentation.
15. *Forwards all documentation through the regular mail system unless otherwise requested.*

Human Resources

16. Considers Occu-Med recommendation.
17. Initiates dialogue with hiring authority in consideration of *Medically Qualified, Conditionally Qualified, Conditionally Disqualified or Medically Disqualified* candidates.
18. Notifies candidate and hiring authority of the pre-employment medical exam results:
 - a. Medically Qualified - conducts the remainder of the pre-employment process with the candidate.

- b. Conditionally Qualified - provides candidate with the "Conditional Qualification Letter" and "Employee Agreement to Condition(s) of Employment Form."
 - c. Recommendation for Delayed Qualification - provides candidate with the "Medical Examination Summary Form."
 - d. Medically Disqualified - provides candidate with a "Disqualification Letter" which shall include the reason for the disqualification, the medical condition which led to the disqualification, a sample of the job duties which would pose a hazard for the candidate, and instructions for how to appeal the decision.
19. Considers reasonable accommodation opportunities. Makes final employment decision.
20. Stores medical records separate and apart from the official Personnel file and maintains such records as confidential.
- Candidate
21. May submit appeal in writing within ten (10) days of receipt of the medical condition disqualification to the Human Resources Director.
22. Must submit additional information regarding his or her medical condition, including a report by an independent medical examiner within thirty (30) days of submitting appeal notification.
23. Assumes financial responsibility for all expenses for medical information obtained relating to the appeal.
- Occu-Med Evaluating Physician
24. Reviews the submitted information and determines, in light of this additional information, whether or not the candidate meets the medical requirements of the job class.
- Human Resources Director
25. Considers recommendation from the Occu-Med Examining Physician, considers reasonable accommodation opportunities, and makes final employment decision.